

Fill in this information to identify the case:

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS**

Debtor 1 LEANNA MARIE CASTILLO

Debtor 2
(Spouse, if filing) _____

Case Number: 24-40047-R

26 / 23

TXEB Local Form 3015-b

ORDER CONFIRMING CHAPTER 13 PLAN

Upon completion of a hearing upon proper notice to consider the confirmation of the Chapter 13 Plan proposed by the Debtor (the "Plan"), wherein the Court has determined that all of the requisite requirements for confirmation pursuant to §13252 have been fulfilled by the Debtor, and that all objections to plan confirmation have been overruled or resolved by agreement, the Court finds that just cause exists for the entry of the following order.

IT IS THEREFORE ORDERED:

1. The Debtor's Plan filed on 05/02/2024 [dkt 23], as amended by this Order, is **CONFIRMED**.

2. The Debtor shall pay:

☐ **Constant Payments:** The Debtor will pay \$ per month for months.

☒ **Variable Payments:** for 60 months pursuant to the schedule set forth in **Exhibit A** to this Order,

Payments to be sent together with those portions of any tax refunds required to be tendered under § 2.4 of the Plan, to:

Carey D. Ebert, Chapter 13 Trustee
P.O. Box 628
Tyler, TX 75710

beginning 2/3/2024 and continuing until all of the allowed claims provided for by the Plan have been paid in accordance with the provisions of the Plan, this Order, or any subsequent order of the Court.

3. Excepting adequate protection payments authorized to be paid by LBR 3015(c), and only to the extent funds are available, the Trustee shall make disbursements on a monthly basis to the holders of allowed claims as set forth in the terms of the Plan and as modified by this Order; provided, however, that the Trustee shall not be required to pay any dividend to any claimant in an amount less than \$15.00 and any dividends deferred under this provision shall be paid when the accumulation of payments due to such claimant shall exceed the sum of \$15.00. Upon the filing of any plan modification motion, however, the Trustee is authorized to suspend disbursements to the holders of allowed claims pending the resolution of that motion in order to determine the effect of the modification upon future disbursements.

4. Pursuant to LBR 3015(f)(1), the Plan is amended through this Order without the necessity of further disclosure to creditors in the following manner:

(1) The use of the singular term "Debtor" in this Order includes both debtors when the case has been initiated by the filing of a joint petition by spouses.

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§ 3.2 Cure Claims.

- ☐ **None.** All claims previously listed as a Cure Claim in § 3.2 of the Plan have been reclassified. (4)
☒ § 3.2 of the Plan regarding the treatment of Cure Claims is **MODIFIED** in the following respects:

Claimant	Collateral/Property Description	Debtor's DPO Amount	Cure Claim Amount	Plan Interest Rate	Projected Monthly Payment by Trustee	Projected Total Cure Payment by Trustee
LOANCARE LLC <input type="checkbox"/> Debt Maturing During Plan <input checked="" type="checkbox"/> Debt Maturing After Completion of Plan <input type="checkbox"/> Curing Assumed Executory Contract or Lease Obligation Pursuant to § 6.1	HOMESTEAD ARREARS	\$2008.72	\$19065.20	0	\$317.75	\$19065.20

§ 3.3 910 Claims.

- ☐ **None.** All claims previously listed as a 910 Claim in § 3.3 of the Plan have been reclassified.
☒ § 3.3 of the Plan regarding the treatment of 910 Claims is **MODIFIED** in the following respects:

Claimant	Collateral/Property Description	Adequate Protection Payment	910 Claim Amount	Plan Interest Rate	Equal Monthly Payment by Trustee	Projected Total Payment by Trustee
CAPITAL ONE AUTO FINANCE	2014 LINCOLN NAVIGATOR	Month 1 thru	\$19942.67			\$19942.67

Request to Incur Debt. Debtors may not incur any post-petition consumer debt, except upon written approval of the Trustee as follows:

For purchase of a car: limit of \$20,000.00 financed with monthly payment not to exceed \$500.00.
 For purchase of home: limit of \$250,000 financed with total monthly payment including taxes and insurance not to exceed \$2,500.00.

Debtors must be current on plan payments and provide an amended budget that includes the proposed payment and updated income information. The Trustee cannot approve any request that exceeds the current budget expenditure for the particular debt or expense. Debtors must file a motion to incur debt if the request does not fall within the guidelines as stated above.

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Home Sale Proceeds. Trustee objected to feasibility that inability to make payments will likely result in a sale or refinance of homestead. To resolve the feasibility objection, the Debtor(s) agree if they seek to sell or refinance their homestead through the Bankruptcy Court: (a) they will move to approve any sale or refinancing; (b) the title company shall be deemed to have received and distributed on the Trustee's behalf all amounts paid on claims that are to be paid through this plan, remain unpaid, and are paid at closing; (c) If after the payment of mortgage, tax, HOA, realtor fees, closing costs/fees, required repairs which such sale was conditioned upon, then Trustee shall receive a fee on all the amounts received and distributed on her behalf; and (d) the title company at closing will distribute to the Trustee her fee based on the then prevailing Trustee fee percentage

Signed on 7/11/2024

Brenda T. Rhoades ST
HONORABLE BRENDA T. RHOADES,
CHIEF UNITED STATES BANKRUPTCY JUDGE

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APPROVED AS TO FORM AND SUBSTANCE:

* /s/ Carey D. Ebert
Chapter 13 Trustee

Date: 07/09/2024

* 
Attorney for the Debtor

Date: 07/09/2024

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Exhibit A

Payment Begin Date: 2/3/2024 Number of Payments: 3 Payment Amount: \$325.00

Payment Begin Date: 5/3/2024 Number of Payments: 25 Payment Amount: \$837.00

Payment Begin Date: 6/3/2026 Number of Payments: 13 Payment Amount: \$955.00

Payment Begin Date: 7/3/2027 Number of Payments: 19 Payment Amount: \$1355.00